

### **REMARKS**

In the August 9, 2006 Office Action, the specification and drawings are objected to for the term “ringbolt”, claims 1, 2, 4 and 5 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite, claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 970,840 to Lewis Jr., and claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewis Jr. in view of U.S. Patent No. 5,781,112 to Shymko et al.

By the present amendment claims 1, 2, 4 and 5 are amended and new claims 6-9 are added. That leaves claims 1, 2 and 4-9 pending in the application with claims 1, 6, and 8 being independent.

The rejections over prior art are respectfully traversed. In summary, Lewis Jr. fails to disclose, teach, suggest or render obvious a hanging element that includes a substantially T-shaped insertion end and at least one outwardly extending side projection for engaging another hanging element, as recited in independent claim 1.

### **Specification**

The specification is objected to for failing to provide proper antecedent basis for the term “ringbolt”. In response, the term “ringbolt” is deleted from the claims. Therefore, Applicant requests reconsideration and withdrawal of the objection to the specification.

### **Drawings**

The drawings are objected to for failing to show the “ringbolt” feature. In response, the term “ringbolt” is deleted from the claims. Therefore, Applicant requests withdrawal of the objection to the drawings.

### **Claims Rejections - 35 U.S.C. § 112**

Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. In response, each of the claims 1, 2, 4 and 5 have been amended to eliminate any indefinite language. Accordingly, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph.

### **Claim Rejections - 35 U.S.C. § 102**

Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 970,840 to Lewis Jr. Lewis Jr. is interpreted as teaching a hanging element including an insertion end 16 and a closure head 11. The claim language of “to join several hanging pieces together in order to have many pieces hanging together configured as the matrix or comb” was not given patentable weight.

Independent claim 1, as amended, positively recites that the hanging element includes at least one outwardly extending side projection adapted to engage another hanging element. In addition, independent claim 1 recites that the insertion end of the hanging element is substantially T-shaped. In contrast, the device of Lewis Jr. does not include a side projection adapted to engage another hanging element. Instead, Lewis Jr. includes a shank 10 with no side projections and U-shaped bends 14 at its end for catching or suspending an object. Nothing in Lewis Jr. teaches or suggests adapting the device 10 to engage another hanging

element, as recited in claim 1. Additionally, the support end of the device 10 is U-shaped and not substantially T-shaped, as recited in the claimed invention.

Anticipation requires that every limitation of a claim must identically appear in a prior art reference. See *Gechter v. Davidson*, 43 U.S.P.Q. 2d 1030, 1032 (Fed. Cir. 1997). It is clear that the limitations of either a substantially T-shaped insertion end or at least one outwardly extending side projection does not identically appear in Lewis Jr. Absence from the prior art reference of any claimed element negates anticipation. See *Rowe v. Dror*, 42 U.S.P.Q.2d 1550, 1553 (Fed. Cir. 1997).

Accordingly, because Lewis Jr. fails to teach all of the elements of independent claim 1 as amended, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b).

Dependent claims 2, 4 and 5 are also allowable over Lewis Jr. for the same reasons discussed above. Moreover, those claims recite additional features not found in Lewis Jr. For example, claim 2 recites that between the insertion and the closure head is a closed loop which ends in a Y joint. In contrast, the shank 10 of the Lewis Jr. device is twisted and does not include a closed loop ending in a Y joint, as seen in Figure 1. Claim 4 recites that the closure head has an identification tag, and claim 5 recites that the identification tag is one of a label, microchip and barcode. In contrast, Lewis Jr. fails to disclose any kind of identification device.

#### **Claim Rejections - 35 U.S.C. § 103**

Claims 4 and 5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lewis Jr. in view of U.S. Patent No. 5,781,112 to Shymko et al. As discussed above, because claims 4 and 5 depend from claim 1, they are believed allowable over the main reference to

Lewis Jr. for the same reasons discussed above. Moreover, Shymko et al. fails to cure the deficiencies of Lewis Jr. Accordingly, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a).

### **New Claims**

New independent claim 6 recites a hanging element comprising, among other elements, at least one side projection extending outwardly from its extended body that is adapted to engage another side projection of a second adjacent hanging element. As discussed above, Lewis Jr. fails to disclose any type of side projection member that is adapted to engage another hanging element. New independent claim 8 recites a hanging element assembly comprising, among other elements, first and second hanging elements coupled together by first and second side projections. Again, Lewis Jr. fails to disclose any type of side projection for engaging another hanging element. Accordingly, Applicant submits that new independent claims 6 and 8 are allowable over Lewis Jr. either alone or in combination with the prior art. New dependent claims 7 and 9 are also believed to be allowable for the same reasons. Moreover, claim 7 recites that the hanging element includes a closed loop with a Y joint end, and dependent claim 9 recites a third hanging element coupled to the second hanging element by respective side projections thereby forming a matrix of the first, second, and third hanging elements.

In view of the foregoing, Applicant believes claims 1, 2 and 4-9 are in condition for allowance. Prompt and favorable treatment is respectfully solicited.

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LLP, Deposit Account No. 23-2185 (001058-00033).

Respectfully submitted,

By: Tara L. Hoffman  
Tara L. Hoffman  
Reg. No. 46,510  
Attorney for Applicant

BLANK ROME LLP  
600 New Hampshire Avenue  
Washington, D.C. 20037  
Telephone: (202) 772-5800  
Facsimile: (202) 772-5858

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